

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

GLORIA JEAN GATES

CIVIL ACTION NO. 12-887-P

VERSUS

JUDGE STAGG

WARDEN JIM ROGERS

MAGISTRATE JUDGE HORNSBY

MEMORANDUM ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has previously filed an application for writ of habeas corpus attacking the conviction and sentence challenged herein. The previous application was denied on the merits on June 6, 1985. See Gates v. Warden, 85-cv-0876.

Before Petitioner can proceed with the instant application she must move in the United States Court of Appeals for the Fifth Circuit for an order authorizing the district court to consider the application. See 28 U.S.C. § 2244(b)(3).

Accordingly;

IT IS HEREBY ORDERED that this action is stayed for a period of sixty (60) days.

Petitioner's failure to obtain authorization within that time from the United States Court of Appeals for the Fifth Circuit to proceed with this action will result in this petition being stricken from the record.

THUS DONE AND SIGNED, in chambers, at Shreveport, Louisiana, on this the 28th day of August 2012.



MARK L. HORNSBY
UNITED STATES MAGISTRATE JUDGE